

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

BRANDON GUEVARA-PONTIFES,  
  
Petitioner,  
  
v.  
  
RENEE BAKER, et al.,  
  
Respondents.

Case No. 3:20-cv-00652-ART-CSD

ORDER

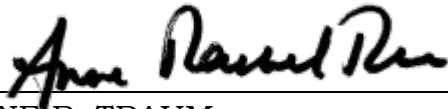
Petitioner Brandon Guevara-Pontifes initiated this federal habeas action on November 23, 2020. (ECF No. 1.) This Court appointed counsel for Guevara-Pontifes, and counsel filed a first-amended petition. (ECF Nos. 13, 18.) Respondents moved to dismiss the first-amended petition, and Guevara-Pontifes moved for a stay, explaining that he desired to return to state court to exhaust grounds 2(a) and 2(c). (ECF Nos. 25, 44.) On September 23, 2022, this Court denied the motion to dismiss without prejudice and granted the motion for stay. (ECF No. 53.) On July 25, 2024, Guevara-Pontifes moved to reopen this case, explaining that his state court proceedings had concluded. (ECF No. 55.) This Court reopened this matter and instructed Respondents to file their answer to the first-amended petition or seek other appropriate relief. (ECF No. 57.) Respondents have now moved for a more definite statement regarding exhaustion, arguing that Guevara-Pontifes failed to update how his return to state court affected the statements of exhaustion for his claims in his first-amended petition. (ECF No. 63.) Guevara-Pontifes responded, asserting that he is not required to provide a statement of exhaustion. (ECF No. 65.) However, Guevara-Pontifes provided statements of exhaustion to “move his litigation forward without delay.” (*Id.* at 5–6.) Given Guevara-Pontifes’s compliance with Respondents’ request, this Court grants the motion and instructs Respondents

1 to file their answer or seek other appropriate relief.

2 It is therefore ordered that the motion for more definite statement **(ECF No.**  
3 **63) is granted.**

4 It is further ordered that Respondents have 30 days from the date of this  
5 Order to file their answer to the first-amended petition or seek other appropriate  
6 relief.

7 Dated this 18<sup>th</sup> day of February 2025.

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10 ANNE R. TRAUM  
11 UNITED STATES DISTRICT JUDGE  
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